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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Nevada)

THE PEOPLE,

Plaintiff and Respondent,

v.

JAYCE ALLEN SONTAG,

Defendant and Appellant.

C086772

(Super. Ct. No. SF09042)

Appointed counsel for defendant Jayce Allen Sontag asks this court to review the record to determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Finding no arguable error that would result in a disposition more favorable to defendant, we will affirm the judgment.

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

BACKGROUND

In 2009, defendant pleaded no contest to one count of inflicting corporal injury to a cohabitant. (Pen. Code, § 273.5, subd. (a).)¹ In exchange, two remaining counts were dismissed, and the prosecution agreed not to oppose a subsequent section 17, subdivision (b) motion, to reduce the offense to a misdemeanor, provided that in 18 months defendant had no violations or new charges and had completed a batterer's program. The trial court imposed three years of probation and ordered defendant to serve 60 days in jail. Various fines and fees were also imposed, including a monthly probation supervision fee.

Four years later, following the completion of probation, defendant petitioned to dismiss his conviction under section 1203.4 and to reduce it to a misdemeanor under section 17, subdivision (b). The trial court granted the motion.

Five years after that, defendant, now incarcerated, moved to dispose of \$1,508.20 in outstanding fines, pursuant to sections 1205, subdivision (a) and 2900.5. He asked that the fines be converted to days of imprisonment and to run concurrently with his existing sentence.

The trial court denied the request. It noted defendant had sought to convert \$1,508.20 owed to custody time. The only charges defendant owed in that amount were his probation supervision fees, and such fees may not be converted to custody time.

Defendant timely appealed.

DISCUSSION

Counsel filed an opening brief setting forth the facts of the case and requests that we review the record and determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Defendant was advised of his right to file a supplemental

¹ Undesignated statutory references are to the Penal Code.

brief within 30 days of the date of filing of the opening brief. More than 30 days have elapsed, and we have received no communication from defendant.

Having examined the record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

/s/
Blease, Acting P. J.

We concur:

/s/
Hoch, J.

/s/
Renner, J.